

**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION MINUTES  
GILBERT MUNICIPAL CENTER, 50 E. CIVIC CENTER DRIVE, GILBERT AZ  
JULY 1, 2015**

**COMMISSION PRESENT:** Chairman Joshua Oehler  
Vice Chairman Kristofer Sippel  
Commissioner David Cavenee  
Commissioner Brent Mutti  
Commissioner David Blaser  
Commissioner Carl Bloomfield  
Commissioner Jennifer Wittmann  
Alternate Brett Young

**COMMISSION ABSENT:** None

**STAFF PRESENT:** Planning Services Manager Linda Edwards  
Principal Planner Catherine Lorbeer  
Senior Planner Amy Temes

**ALSO PRESENT:** Town Council Member Brigitte Peterson  
Town Attorney Jack Vincent  
Recorder Margo Fry

**CALL TO ORDER:**

Chairman Joshua Oehler called the meeting to order at 5:40 p.m.

**OATH OF OFFICE**

The Oath of Office for Alternate Planning Commissioner was administered by Town Council Member Brigitte Peterson to Brett Young. Mr. Young said that he had lived in the Town of Gilbert for approximately three years and was the Director of Business Development for Dignity Health and had been with them for 12 years.

**Z15-12: REQUEST TO AMEND ORDINANCE NO. 2476 AND REZONING APPROXIMATELY 20.61 ACRES OF REAL PROPERTY WITHIN THE ENCLAVE AT SANTAN VILLAGE PLANNED AREA DEVELOPMENT (PAD) AND GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF GREENFIELD AND PECOS ROADS FROM APPROXIMATELY 20.61 ACRES OF SINGLE FAMILY - 15 (SF-15), ZONING DISTRICT TO APPROXIMATELY 7.60 ACRES OF SINGLE FAMILY-15 (SF-15) ZONING DISTRICT AND 13.02 ACRES OF SINGLE FAMILY-10 (SF-10) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY.**

**S15-03: VILLAGES AT VAL VISTA: REQUEST TO AMEND THE PRELIMINARY PLAT AND OPEN SPACE PLAN FOR 40 SINGLE FAMILY HOME LOTS ON APPROXIMATELY 20.61 ACRES OF REAL PROPERTY LOCATED EAST OF THE NORTHEAST CORNER OF GREENFIELD AND PECOS ROADS IN THE SINGLE FAMILY – 15 (SF-15) AND SINGLE FAMILY – 10 (SF-10) ZONING DISTRICT.**

Planning Commission  
Study Session 7-1-15

Senior Planner Amy Temes stated that several years ago the site was rezoned and General Planned and it was annexed for SF-15 zoning with some modifications. The applicant has come back to ask to change the zoning from SF-15 across the board to SF-15 with a combination of SF-10. The SF-10 is internal to the site and the SF-15 wraps to the large lot adjacent development. When the rezoning occurred previously there were a lot of neighborhood meetings. The neighbors are on one acre plus lots. The neighbors were very sensitive to the rural character of the area and the aesthetic of Pecos Road. The SF-15 was part of the discussion with the neighbors. The applicant has been sensitive to the neighbors concern and has retained the SF-15 on three boundaries and keeping the larger size lots per the previous zoning. Planner Temes referred to the following information regarding modifications from page 3 and 4 of the staff report:

<b>Development Standard</b>	<b>Existing SF-15 per Ord. 2476</b>	<b>Proposed SF-15</b>	<b>Existing SF-10</b>	<b>Proposed SF-10</b>
Minimum Lot Area (sq. ft. per DU)	16, 500 SQ FT	16, 500 SQ FT	10,000 SQ FT	10,000 SQ FT
Minimum Lot Width	50'	50'	85'	85'
Minimum lot Depth	120'	<b>130'</b>	110'	110'
Maximum Height (ft.)/Stories	30'/2-story	30'/2-story	30/2-story	30/2-story
Minimum Building Setback (ft.) Front	30' to face of garage 20' to living area/porch/side entry garage	<b>25' to face of garage 15' to living area/porch/side entry garage</b>	25' front facing garage 20' living area /garages that are recessed > 20'/side entry garage	25' front facing garage <b>15' living area/side entry garages/porches</b>
Side	15'	15'	10'	10'
Rear	30'	<b>20' 1-story 35' 2-story</b> 30 1-story along arterials 30' 2-story along arterials	30' 1-story 30' 2-story 35' 2-story when along arterials	<b>20' 1-story 35' 2-story 20' 1-story along arterials</b> 35' 2-story along arterials
Maximum Lot Coverage (%)	40% 1-story 35% 2-story	<b>45% 1-story 40% 2-story</b>	45% 1-story 40 % 2 story	45% 1-story 40 % 2 story

Ms. Temes pointed out that the applicant would like to reduce the rear yard setback from 30' to 20' for one story homes. On the two-story homes they would like to increase the rear yard setback from 30' to 35'. The changes made to the one story are not as impactful as the two-story would be and the two-story is being increased with setback, not decreased. Staff has expressed some concern as they do not want the neighbors to feel like that they had an agreement and now it is being pulled back. All of the proper neighbor notification processes have been applied. This is internal to a gated project so is not necessarily impacting an overall community or neighborhood. The applicant would like to increase the lot coverage on SF-15 from 40' to 45' for the one story and from 35' to 40' for the two-story. In the previous zoning it was bumped up 5% from 35' to 40' for one story. They would now like to bump it up 5% more. Along Pecos Road is the reduction in the rear yard setback along arterials. Code says that when there are homes along and arterial and landscape along the arterial is less than 35' that you must do an additional rear yard setback so that the road does not feel crowded. The applicant would like to reduce the one story from 35' to 20'. Staff has asked for dedication of 164<sup>th</sup> Street and there is ongoing discussion with engineering regarding that because Roosevelt Water Conservation District does own a small square of property at the intersection to Pecos Road and there is no continuous alignment of 164<sup>th</sup> St. on down as you continue south. They are

discussing whether it is to be fully dedicated or whether it should be an easement as the neighborhood to the North has been very clear that they do not want to see 164<sup>th</sup> St. developed. Ms. Temes noted that there was no secondary exit or entrance and is gated but there is a 20 foot emergency access drive that was required with the previous zoning and this design would also require it. The plants and materials are consistent with what was previously approved.

Vice Chairman Sippel said that he was somewhat concerned about going from acre lots to 10,000 ft.<sup>2</sup> lots with the SF-15 separation and the setbacks going from 30' to 20'. He said it didn't bother him for the front yard or for the SF-10's but it did on the SF-15.

Commissioner Cavenee said that the challenge for him was that it really isn't an SF-15 to what they are seeing currently, it is an SF-43, just a step down in the middle that maybe shouldn't happen. He said that looking at the aerial it doesn't seem to fit the character of what is going on around it. He said that not only were they down zoning the property but they are also down zoning all of the setbacks and percentage of lot coverage. He saw one increase and everything else is either equal or downsized. There wasn't a hardship for the property that would rationalize a need to take those kinds of steps. It is in an area of town that is growing well and rapidly and there wasn't a need to cram all of that into what otherwise in the area is not of that character. It is just too dense for what is there.

Commissioner Bloomfield said that is like all the developers are adjusting things and asked staff if the zoning code and the requirements are out of line with what today's current development standards and market is driving them to as it seems as though every project has some adjustments to be made. It is usually to make things more dense and pack things in tighter. He said he was not sure where the disconnect was as it seemed as though it be easier to come in and present a project that adheres to the zoning code.

Planner Temes said that is why she displayed the table straight out of code as those were the norms. When they were created in 2004/2005 they were based on what the builders were doing at that time. Staff does see a lot of requests for increase of lot coverage and the builders have started using the 5% open space lot coverage that was approved a few years ago that allows you to go over the lot coverage for open air structures. This builder is looking at possibly using some of that for their product. They are getting some of the benefit for the extra 5% for most of the zoning categories, it does not apply to the SF-D, SF-A because at the time the Planning Commission determined that they already had a significant lot coverage. All of the zoning categories that they were looking at currently are included. They do see in some cases the front setback on the larger lots where they have 40, 30, 25 foot setbacks starting to creep. The 20' setbacks seem to be working but where the rub occurs is with the 3' stagger as in the code they require that certain zoning districts stagger homes every 2<sup>nd</sup> or 3<sup>rd</sup> home so there is not a consistent straight line down the Street. Some of the developers backed themselves into a corner with sales towards the end as that is not managed well throughout. There has also been discussion in terms of side setbacks regarding the 5' clear zone more than the setbacks. Where setbacks seem to be doing okay is buyers currently that want a large rear yard. The market seems now to be shifting to maximizing the home on the lot.

Chairman Oehler said that he had an issue with a lot of the deviations that were being asked for as he did not see the hardship and would like to see justification for the modifications and rezoning.

Commissioner Cavenee said that if the down zoning as the real request it would be easier for him to feel good about it if they lived within the requirements of the zoning. Right now they know that the lot sizes work within the requested zoning but it is apparently the product that they want to put on it that pushes it outside the boundaries. They need to design the lots in a way to absorb the product and the answer is not always to come before the Planning Commission and try to down zone or change all the requirements. There is a lot of improvement that could be done on the design community side to live within the requirements that are there.

**Discussion of Regular Meeting Agenda**

Vice Chairman Sippel announced that they would move items 9 and 10 on the Non-Consent Agenda to be heard before items 7 and 8 on that Agenda. He asked legal counsel if they were to move item 11 and 12 from Non-Consent to the Consent Agenda if someone could still speak in favor of the item.

Town Attorney Jack Vincent said that there would be no speaking on an item that went to Consent.

Vice Chairman Sippel stated that they hear items 11 and 12 as the first items on the Non-Consent Agenda. Item 6 would be moved from the Consent Agenda to the Non-Consent Agenda.

**ADJOURN MEETING**

Study Session Meeting adjourned at 6:00 p.m.

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**Chairman Joshua Oehler**

**ATTEST:**

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**Recorder Margo Fry**